

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO: 2:21CR00613-001BHH
WILLIAM RIVERS)	
_____)	

WILLIAM RIVERS SENTENCING MEMORANDUM AND VARIANCE

In accordance with the Court's Order Setting Scheduling for Sentencing, William Rivers respectfully requests that the Court impose a probationary sentence as this sentence would be in line with 18 U.S. C. § 3553, a sentence that is sufficient but not greater than necessary.

1. Preliminary Statement

The Court's task of sentencing is guided by 18 U.S.C. § 3553(a) and the Supreme Court's recent decisions in *Booker*, *Gall*, and *Rita*, all which control the application of the Guidelines.¹ Procedurally, the Court is required to correctly calculate the applicable Guideline range and take that measure as a "starting point and initial benchmark" in its sentencing analysis.² The Court must consider any non-frivolous arguments for variance and must provide a statement of reasons for the sentence that it imposes.³ Ultimately, the Court must select a sentence within the statutory range that is "sufficient, but not greater than necessary" to satisfy the varied purposes identified by Congress.⁴

2. The Sentencing Act requires that the Court impose a sentence "sufficient, but not greater than necessary," to comply with the specified purposes of Section 3553(a).

Although the Sentencing Act attempted to make the Sentencing Guidelines mandatory, in U.S. v. Booker, 543 U.S. 220 (2005), the Supreme Court severed and excised those portions of the Act which required sentencing courts to impose a sentence within applicable Guidelines range (in the absence of circumstances that justify a departure) as well as the provision which renders the Guidelines “effectively advisory”, the Act still requires the sentencing judge to take into account the Guidelines as well as the numerous factors set forth in 18 U.S.C. A. Section 3553 (a) that guide sentencing. The sentencing judge must impose sentences that “reflect the seriousness of the offense, promote respect for the law, provide just punishment, afford adequate deterrence, protect the public, and effectively provide the defendant with needed educational and vocational training and medical care.” *Id* at 260. Ultimately, the sentencing judge’s sentence is subject to review for reasonableness.

Section 3553(a) provides that the court shall impose a sentence “sufficient, but not greater than necessary,” to comply with the specified purposes of subsection (2):

- (A) To reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
- (B) To afford adequate deterrence to criminal conduct;
- (C) To protect the public from further crimes of the Defendant; and
- (D) To provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

¹ *United States v. Rita*, 127 S. Ct. 2456 (2007); *Gall v. United States*, 128 S. Ct. 586 (2007); see also *United States v. Carty*, 520 F.3d 984, 991-94 (9th Cir. 2008) (step-by-step sentencing procedure in light of recent Supreme Court precedent).

² *Kimbrough v. United States*, 128 S. Ct. 558, 574 (2007) (quoting *Gall* 128 S. Ct. at 586).

³ *Rita*, 127 S. Ct. at 2468.

⁴ See 18 U.S.C. § 3553(a)(1) & (2)

3. History and Characteristics of William L. Rivers

The court is aware of Mr. William L. Rivers background from his PSR. Will is Fifty-Six Years Old (56) years old. He was born and raised in Charleston, South Carolina. He is the father of Three Adult Children. He is a caregiver for his two elderly parents. He is currently self-employed in his business WRM Construction and Engineering Management, LLC. He has served his country as a member of the armed services. He served in the United States Air Force for Seven (7) years and received an Honorable Discharge. His service included time during the Gulf War Area. He reached the rank of Staff Sergeant and completed the United States Air Force Project Management Engineer School.

He is a graduate of Garrett High School in North Charleston, South Carolina and attended Trident Technical College where he received a certification in construction engineering and completed classes in project management. William also obtained his Nuclear Gauge Training Certification from Coastal Engineering and Testing, Inc.

William admits that he made some bad decisions. However, he is still a good person.

As the court can see from his Presentence Report he has zero (0) criminal history points and has had very minor offenses the last of which was Twenty-Three (23) years ago.

William takes full responsibility for his actions and asks for the mercy of the Court.

William realizes that his actions were wrong, and he is extremely remorseful for his actions. Once he has served his punishment for this offense, I doubt that he will.

ever violate the law again. He is ready to pay back the restitution he owes and the

has begun to make restitution through forfeiture of his disability payments.

Attached are letters, achievements and awards of William Rivers. As you can see, he is a well- liked and respected individual. William takes full responsibility for his actions. William deeply regrets his actions and wants to right his wrongs.

He wants to complete the consequences of his actions and resume a normal life with his family. A probationary sentence would be sufficient in this case and meets the considerations of 3553(a). It would return William to his family and give him a chance to resume his life and work to pay off the restitution that he owes to the government.

Conclusion

In summation, The Defendant, William Rivers is asking the Court to consider all the factors of 3553(a) and sentence him to a Probationary Sentence. A Probationary would meet the goals of Section 3553(a). I ask the Court to be merciful and sentence Mr. Rivers to Probation.

Respectfully submitted,

Thaddeus J. Doughty

s/Thaddeus J. Doughty

Thaddeus J. Doughty

6650 Rivers Avenue

North Charleston, SC 29406

Federal Bar No: 6429

Telephone:

843-576-1400

Fax:

843-576-5401

Attorney for the Defendant

This 15th day of October, 2024.

CHARACTER LETTERS



Thad Doughty <doughtyhad8@gmail.com>

Fwd: Character Reference Will Rivers

Will Rivers <riversw6311@gmail.com>

To: Thad Doughty <doughtyhad8@gmail.com>

Tue, Oct 15, 2024 at 10:05 AM

Thanks Will Rivers

Begin forwarded message:

From: Temmey Novit <temmeyn@gmail.com>

Date: October 14, 2024 at 9:38:06 PM EDT

To: Will Rivers <riversw6311@gmail.com>

Subject: Character Reference Will Rivers

Honorable Bruce Howe Hendricks,

I am sending this recommendation on behalf of Will Rivers. I met him a few years ago, after a friend of mine recommended him to complete a job (which turned into several)

Will is a man of character, honesty and integrity. He did quality work, has a good family and is very dedicated to anything he does.

It has been a pleasure getting to know Will.

Respectfully submitted.

Temmey Feldman

—

Temmey Feldman ❤️ 🐶



Thad Doughty <doughtythad8@gmail.com>

Support letter

Will Rivers <riversw6311@gmail.com>

Tue, Oct 15, 2024 at 9:35 AM

To: Thad Doughty <doughtythad8@gmail.com>

October 15th, 2024

Honorable Bruce Howell Hendricks

Re: William L. Rivers

Dear Honorable Judge Hendricks,

I am writing this correspondence to provide you with my insight concerning Mr. William Rivers. We have cultivated a friendship that has spanned over 5 years and in that time, I have been able to observe firsthand how he handles a plethora of situations/circumstances. In my opinion, you can tell a lot about a person by listening less to what they say and watching more of what they do. I can unequivocally say that Mr. Rivers has shown himself to be someone of high moral character who lives a life of authenticity. He is also someone of immense depth who serves in many capacities for his community, his country and his family. Please allow me to give you a glimpse into the man I have had the pleasure of knowing for years.

Mr. Rivers is a successful business owner who never misses an opportunity to give back to his community. He provides local churches/other residential owners with fair and often discounted quality construction services to ensure their buildings/homes are structurally sound. Mr. Rivers also provides a safe space for young children who need school supplies to best ensure they have a successful school year. He is a mentor to new business owners who provides them with opportunities to network and helps them to avoid some of the challenges he has experienced as a businessman. Mr. Rivers is a Veteran who has bravely and honorably served our country in the Air Force. While all these accomplishments are impressive, Mr. Rivers' most important role is that of father and grandfather. He takes great pride in his family's accomplishments and has been a guiding force throughout their lives.

In closing, I would like to share that I personally have called on Mr. Rivers during times of trials and tribulations in my life. Despite his many responsibilities, he always takes the time to offer a word of prayer, encouragement and assistance. This speaks volumes to his selfless nature and that is simply rare in our very self-serving society today. I am immensely grateful for his empathy and compassion towards me. I am equally honored to call him my friend.

Sincerely Submitted by

Jamillah M. Smalls, MSW, LMSW

<i>Low Country Special Needs Coordinator Community Support Services</i>

Thanks Will Rivers

U.S. AIR FORCE CERTIFICATE OF APPRECIATION

AF FORM 3053 JUN 67

United States Air Force



Certificate of Appreciation

to

AIRMAN WILLIAM RIVERS

For Outstanding Support

Olympic Arena 1984

10 MAY 1989

Date

ALB
ARLEN D. JAMESON, BRIG GEN, USAF
COMMANDER

Certificate of Completion

This Certifies that

Will Rivers

has successfully completed the

TURNER SCHOOL OF CONSTRUCTION MANAGEMENT

Given this 25th day of April 2018

In partnership with Turner Construction Company and Trident Technical College

Turner Community & Citizenship



Kevin Jenkins, Vice President and General Manager

Kevin B. Jenkins

Turner

TRIDENT TECHNICAL COLLEGE



**CERTIFICATE OF
COMPLETION
TURNER SCHOOL OF
CONSTRUCTION
MANAGEMENT**

SCHOLARSHIP SOCIETY SHOW

THE REV. DR. E.L. JACKSON SCHOLARSHIP SOCIETY, INC.

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LaVerda Kearse James, Vice President
Kathy L. Jackson, Secretary
Joshlyn Gipson, Assistant Secretary
Melanie B. Edwards, Treasurer

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Karen Harvey	Elaine Singleton
Betty Shine	
Sylvia Washington	

Mr. William Rivers, Director

Catering by: Joe's Catering, McEllanville, SC

Our sincere thanks to ALL who worked so hard to make this event a success. This is just one of the ways we raise funds for scholarships for graduating high school students in the tri-county. Let us continue to invest in our children. Each one of them deserves an opportunity to go to college and with your continued support, we will succeed.



FASHION ACCORDING TO JAZZ

HIGHLIGHTING MALE FASHIONS

TO BENEFIT

THE REV. DR. E.L. JACKSON SCHOLARSHIP SOCIETY, INC.

SATURDAY, MAY 31, 2014
5:00PM

THE FAMILY LIFE CENTER
MT. MORIAH MISSIONARY BAPTIST CHURCH, INC.
7396 RIVERS AVE.
N. CHARLESTON, SC 29406

PROGRAM

Welcome and Introduction of MC Mrs. LaVerda K. James

MC & Fashion Commentator

Mr. Raphael James
WCSC Live 5 News Anchor

Solo

Ms. Elaine Singleton

Scripture

Deaconess Karen Harvey

Prayer

Deacon Edward Williams

The Occasion

Mrs. Christine O. Jackson

*****FASHION SHOW*****

TONIGHT'S DJ

Mr. Gabe Washington

SCENE I

CASUAL CLOTHING

SCENE II

SPORTSWEAR

SCENE III

"LET'S GO TO CHURCH"

SCENE IV

FORMAL WEAR

FINALE

ALL MODELS

*****DOOR PRIZES*****

REMARKS

Deaconess Gislaine Johnson
Chairperson, Fashion Show Committee

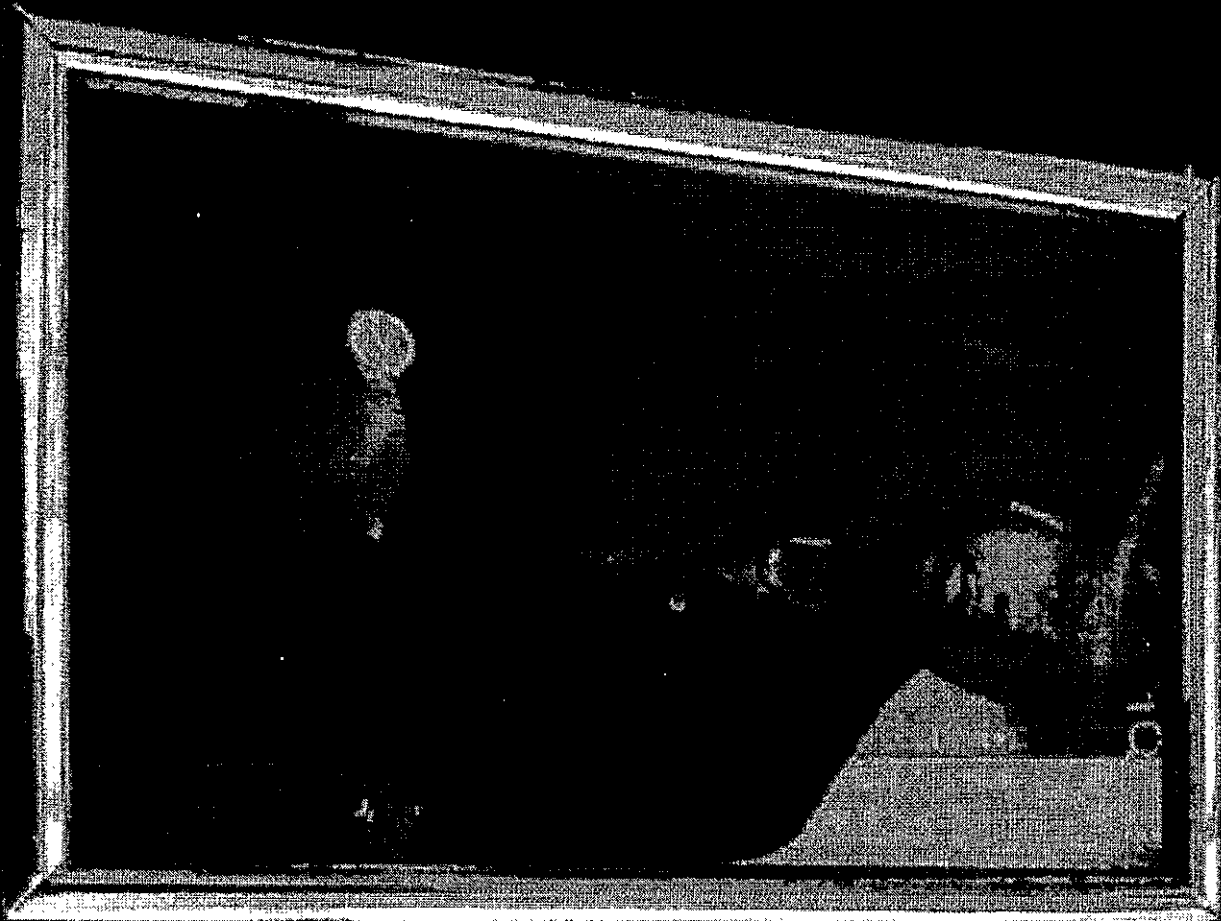
MALE MODELS:

- ❖ Mr. Charles Allen
- ❖ Mr. Willie Hawkins
- ❖ Mr. Kedrick James
- ❖ Mr. Carlos King
- ❖ Mr. Elliott Mitchell
- ❖ Mr. Angelo Murray
- ❖ Mr. Herbert Shine
- ❖ Mr. Tolbert Smalls
- ❖ Mr. DaQuan Washington
- ❖ SC State Rep. Seth Whipper

FEMALE ESCORTS:

- ❖ Ms. Carrie Byrd
- ❖ Ms. Latarsha Eldell
- ❖ Ms. Latonya Francis
- ❖ Ms. Quiana Green
- ❖ Ms. Erica Perry
- ❖ Ms. Tarnilla Singleton
- ❖ Ms. Eleesha Smalls
- ❖ Ms. Hope Williams

AWARDS



THE BEST IS YET TO COME!

"WE ARE ONE"

WILL RIVERS

WE APPRECIATE YOU!

JEREMIAH 29:11

FOR I KNOW THE PLANS
I HAVE FOR YOU, DECLARES
THE LORD, PLANS TO
PROSPER YOU AND NOT
TO HARM YOU, PLANS
TO GIVE YOU HOPE
AND A FUTURE.

DECEMBER 16, 2018

The School Improvement Council (SIC) Recognition Award
Charleston Development Academy Public Charter School

"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."

Dr. Martin Luther King, Jr.

On behalf of the SIC Committee, the CDA students, staff, and parents, we would like to express our sincere gratitude for your time, dedication, and service toward the enrichment of our lives.

Mr. Will Rivers

LEAD, BELL OF THE BALL EVENTS & TLA PRESENTS



2018

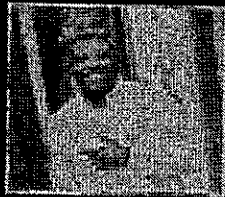


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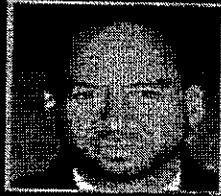
AWARDS SHOW



Mayor
Vince Williams



Len Gibson



Christopher Martin



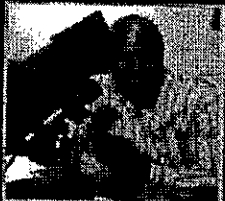
Ben Norman



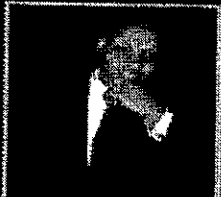
Bobby Peoples



Ernest Moore



Will Townsend



Zeus Luby



Christopher Emanuel



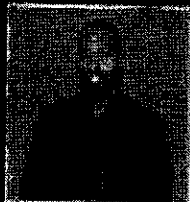
Marvin Arrington Jr.



Dr. Ron Williamson



Eric Thomas



Jack Tre



Donald Craddock



Bryant K. Marshall



Will Rivers

Sunday, November 18th, 2018

RENDEZVOUS EVENT CENTER

1717 JONESBORO ROAD | FOREST PARK, GA 30297

5:00pm-8:00pm | \$25 Admission |

[Eventbrite](#)